

REMARKS

This Amendment is being filed in response to the Office Action mailed December 27, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, claims 1 and 3-5 have been amended for non-statutory reasons, such as beginning the dependent claims with 'The' instead of 'A' and deleting reference designations typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1 and 3-5 were not made in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, the Examiner objected to the drawings because of lack of labels in FIGs 1-5 and for inclusion of reference numeral 1 in FIG 1 without mention thereof in the specification. In response, labels have been added to FIGs 1-5 and the specification has been amended to include reference numeral 1. A replacement sheet including FIG 1 is enclosed. Applicants

respectfully request approval of the enclosed proposed drawing changes and withdrawal of the drawing objection.

In the Office Action, the Examiner objected to the specification for certain informalities. In response, the specification has been amended to remove the informalities note by the Examiner, as well as other informalities. Accordingly, withdrawal of the objection to the specification is respectfully requested.

In the Office Action, claims 1-4 and 6-7 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent Application Publication No. 2002/0034268 (Miyanabe). Claim 5 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Miyanabe in view of U.S. Patent No. 5,729,514 (Horigome). It is respectfully submitted that claims 1-8 are patentable over Miyanabe and Horigome for at least the following reasons.

Miyanabe is directed to an information playing apparatus shown in FIG 2, that includes a signal processing unit 6 shown in greater detail in FIG 6, having a cross talk canceling circuit 22. As shown in FIG 9 and recited in paragraphs [0158]-[0169], the cross talk canceling circuit 22 includes a filter coefficient calculating

unit 55 that calculates a filter coefficient C_1 based on an error value and provides the filter coefficient C_1 to a multiplier 61 that multiplies a detected signal S_{dd1} with the filter coefficient C_1 to output a cross talk signal CR_1 which is added with other cross talk signals by and adder 68 for subtraction from another detected signal S_{dd} by a subtractor 69.

It is respectfully submitted that, the present invention as recited in independent claim 3, and similarly recited in independent claim 1, amongst other patentable elements, recites (illustrative emphasis provided):

time recovery means for estimating a ratio between a bit clock that drives the time recovery means and a fixed clock that drives the filtering means, and for providing said ratio to said updating means, said updating means being designed to take said ratio into account for updating said coefficients.

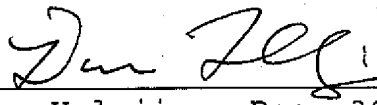
Miyanabe does not even teach or suggest any ratio, let alone teaching or suggesting "a ratio between a bit clock that drives the time recovery means and a fixed clock that drives the filtering means, and ... providing said ratio to said updating means," as recited in independent claim 3, and similarly and recited in independent claim 1. Horigome is cited to allegedly show other features and does not remedy the deficiencies in Miyanabe.

Accordingly, it is respectfully submitted that independent claims 1 and 3 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2 and 4-8 should also be allowed at least based on their dependence from amended independent claims 1 and 3.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: Replacement drawing sheets (2 sheets including
FIGs 1-5)

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